IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION No. 2640 of 2006

UTTAM NIVRUTTI PAWAR . ... Petitioners
V/S
RAMCHANDRA HARI PAWAR AND ORS. . . .. Respondents

Mr. Kuldeep S. Patil for petitioners
Mr. R. V. More for respondent no. 1.

CORAM: S. B. MHASE J.
DATE:20/04/2006

P.C.:

Heard both sides.

1. The order dated 4th March 2006 passed by III Additional District Judge, Sangli, below exhibit 82 in Regular Civil Appeal No. 127 of 1999 is challenged in this petition. By this order the application filed by the petitioner is rejected by imposing cost of Rs.700/- . By the said application the appellants have made a prayer to direct the respondent no.1 – original plaintiff to produce the accounts of the Manisha Printing Press and to produce documents of title of the flat owned by the respondent at Mumbai. All these documents are public documents, viz., documents in respect of the flat can be obtained from the appropriate registry maintained by the Municipal Corporation and the documents in respect of the registration of the partnership can be obtained from the

Registrar of firm & Income Tax Department. Therefore learned counsel for petitioner Mr. Patil states that he be allowed to withdraw exhibit 82 with liberty to obtain the documents from the appropriate public authorities and produce the same before the Appeal Court.

2. The prayer appears to be a justified one. Therefore the application exhibit 82 is hereby allowed to be withdrawn. Since it is withdrawn the order below exhibit 82 is hereby set aside. The petitioner is at liberty to obtain the documents from the appropriate public authorities and take appropriate steps. The Appeal Court is directed to give reasonable time to the petitioner so as to avail those documents from the public authorities. Petition is disposed of accordingly.

(S. B. MHASE J.)